

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 156

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 40-701, IDAHO CODE, RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY DISTRIBUTION ACCOUNT; TO PROVIDE A CERTAIN APPORTIONMENT TO THE LAW ENFORCEMENT FUND; AND PROVIDING EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 40-701, Idaho Code, be, and the same is hereby amended to read as follows:

40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is established in the state treasury an account known as the "Highway Distribution Account," to which shall be credited:

(a) Moneys as provided by sections 63-2412(1)(e)4. and 63-2418(3), Idaho Code;

(b) All moneys collected by the department, ~~their~~ its agents and vendors, and county assessors and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically provided for; and

(c) All other moneys as may be provided by law.

(2) The highway distribution account shall be apportioned as follows:

(a) Thirty-eight percent (38%) to local units of government as provided in section 40-709, Idaho Code;

(b) Fifty-seven ~~eight~~ percent (~~57~~8%) to the state highway account established in section 40-702, Idaho Code; and

(c) ~~Five~~ Four percent (~~5~~4%) to the law enforcement ~~account~~, fund established in section 67-2914, Idaho Code, provided however, that the state fiscal year 2010 apportionment to the law enforcement fund shall be not less than twelve million nine hundred sixty thousand dollars (\$12,960,000). The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement ~~account~~ fund as the moneys become available to the highway distribution account.

(3) Interest earned on the investment of idle moneys in the highway distribution account shall be paid to the highway distribution account.

(4) All idle moneys in the dedicated highway trust or asset accounts or subaccounts established from highway user revenues, reimbursements, fees or permits shall be invested by

1 the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with  
2 respect to other surplus or idle moneys in the state treasury. Interest earned on the investments  
3 shall be returned to the various highway trust or asset accounts and subaccounts.

4 SECTION 2. That Section 40-701, Idaho Code, be, and the same is hereby repealed.

5 SECTION 3. That Chapter 7, Title 40, Idaho Code, be, and the same is hereby amended  
6 by the addition thereto of a NEW SECTION, to be known and designated as Section 40-701,  
7 Idaho Code, and to read as follows:

8 40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is  
9 established in the state treasury an account known as the "Highway Distribution Account," to  
10 which shall be credited:

11 (a) Moneys as provided by sections 63-2412(1)(e)4. and 63-2418(3), Idaho Code;

12 (b) All moneys collected by the department, its agents and vendors, and county assessors  
13 and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically  
14 provided for; and

15 (c) All other moneys as may be provided by law.

16 (2) The highway distribution account shall be apportioned as follows:

17 (a) Thirty-eight percent (38%) to local units of government as provided in section  
18 40-709, Idaho Code;

19 (b) Fifty-seven percent (57%) to the state highway account established in section 40-702,  
20 Idaho Code; and

21 (c) Five percent (5%) to the law enforcement fund established in section 67-2914, Idaho  
22 Code. The state controller shall cause the remittance of the moneys apportioned to local  
23 units of government not later than January 25, April 25, July 25 and October 25 of each  
24 year, and to the state highway account and the law enforcement fund as the moneys  
25 become available to the highway distribution account.

26 (3) Interest earned on the investment of idle moneys in the highway distribution account  
27 shall be paid to the highway distribution account.

28 (4) All idle moneys in the dedicated highway trust or asset accounts or subaccounts  
29 established from highway user revenues, reimbursements, fees or permits shall be invested by  
30 the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with  
31 respect to other surplus or idle moneys in the state treasury. Interest earned on the investments  
32 shall be returned to the various highway trust or asset accounts and subaccounts.

33 SECTION 4. The moneys apportioned to the law enforcement fund in fiscal year 2010  
34 shall not be less than the moneys apportioned to the law enforcement fund in fiscal year 2009.

35 SECTION 5. Sections 1 and 4 of this act shall be in full force and effect on and after  
36 July 1, 2009. Sections 2 and 3 of this act shall be in full force and effect on and after July 1,  
37 2010.